



**PATENT**  
Attorney Docket No.: 51298-00007

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	James C. Peacock III	Conf. No.:	9909
Serial No.:	10/724,453	Examiner:	Unknown
Filed:	November 28, 2003	Art Unit:	3731
Title:	MEDICAL DEVICE WITH POROUS SURFACE CONTAINING BIOERODABLE BIOACTIVE COMPOSITES AND RELATED METHODS		

**POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appoints:

<b>Attorney or Agent</b>	<b>Reg. No.</b>	<b>Attorney or Agent</b>	<b>Reg. No.</b>
Louis C. Cullman	39,645	Michelle S. Glasky	54,124
James C. Peacock III	40,124	Richard L. Klein	33,330

as his attorneys to prosecute said application and to transact in connection therewith all business in the U.S. Patent and Trademark Office and before competent International authorities.

I am the Assignee of record of the entire interest. A Statement under 37 C.F.R. 3.73(b) is enclosed.

Signed:



Richard L. Klein  
Medlogics Device Corporation

Dated:

Telephone:

10 Sept 2004

Please contact the following for inquiries regarding the above submission:

Richard L. Klein  
Medlogics Device Corporation  
3589 Westwind Blvd  
Santa Rosa, CA  
(707) 545-5700 Telephone  
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PTO/SB/96 (06-04)

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: James C. Peacock III

Application No./Patent No.: 10/724,453 Filed/Issue Date: 11/28/03

Entitled: METAL BINDING PROTEINS AND ASSOCIATED METHODS

Medlogics Device Corporation, a Corporation  
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.  
 The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
 in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

**OR**

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

10 SEPT. 2004

Richard L. Klein

Typed or printed name

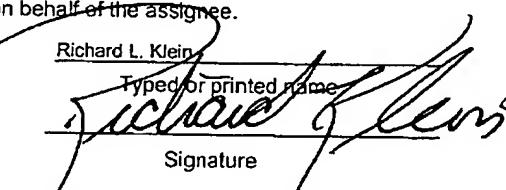
Date

707-545-5700

Telephone number

President, Medlogics Device Corporation

Title



This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Docket No.51298-00007

## ASSIGNMENT

**WHEREAS**, I, James C. Peacock III, residing at 3317 Melendy Drive, San Carlos, CA 94070, have invented certain new and useful inventions disclosed in an application for United States Letters Patent entitled "**MEDICAL DEVICE WITH POROUS SURFACE CONTAINING BIOERODABLE BIOACTIVE COMPOSITES AND RELATED METHODS**" also known as U.S. Patent Application No. 10/724,453 and executed by me on even date herewith;

**AND WHEREAS** Medlogics Device Corporation, a corporation organized and existing under the laws of the State of California, having a place of business at 3589 Westwind Blvd., Santa Rosa, CA 95403 (hereafter, together with any successors, legal representatives or assigns thereof, called "**ASSIGNEE**") wants to acquire the entire right, title and interest in and to said improvements and application.

**NOW, THEREFORE**, in consideration of the sum of One Dollar (\$1.00) to each of us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I have sold, assigned, transferred and set over, and do hereby sell, assign, transfer and set over to ASSIGNEE the entire right, title and interest in and to said inventions, and said application and all divisions, continuations and continuations-in-part thereof, and all United States Letters Patents which may be granted thereon and all reissues, reexaminations and extensions thereof, and all priority rights under all available International Agreements, Treaties and Conventions for the protection of intellectual property in its various forms in every participating country, all national and regional applications deriving therefrom, and all subsequent patents and divisional patents, and all applications for patents (including related rights such as utility-model registrations, inventor's certificates, and the like) heretofore or hereafter filed for said improvements in any foreign countries, and all patents (including all continuations, continuations-in-part, divisions, extensions, renewals, substitutes, and reissues thereof) granted for said inventions in any foreign countries; and we hereby authorize and request the United States Commissioner of Patents and Trademarks, and any officials of foreign countries whose duty it is to issue patents on applications as aforesaid, to issue all patents for said improvements to ASSIGNEE in accordance with the terms of this Assignment;

**AND I HEREBY** covenant that we have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith;

**AND I HEREBY** further covenant and agree that I will communicate to ASSIGNEE any facts known to me respecting said inventions, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, continuations-in-part, substitute and reissue applications, make all rightful oaths and generally do everything possible to aid ASSIGNEE to obtain and enforce proper patent protection for said improvements in all countries.

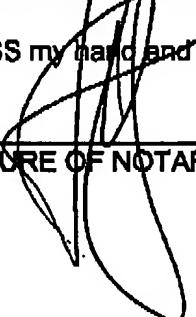
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IN TESTIMONY WHEREOF, I hereunder set my hand this 10th day of September, 2004.  
James C. Peacock III

STATE OF CALIFORNIA )

COUNTY OF San Mateo ) ssOn 10 Sept. 2004 before me, Heather Gregory Harker, Notary Public, personally appeared James C. Peacock III, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal

  
\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC